

United States District Court

for the
Eastern District of Missouri

United States of America
v.

Terrance Long

Case No: 4:04CR581

USM No: 31377044

Date of Previous Judgment: 5/27/05

(Use Date of Last Amended Judgment if Applicable)

Steve Stenger

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the Term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____

Amended Offense Level: _____

Criminal History Category: _____

Criminal History Category: _____

Previous Guideline Range: _____ to _____ months

Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

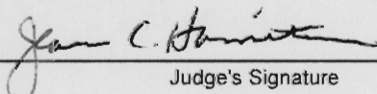
III. ADDITIONAL COMMENTS

The defendant was involved in the distribution of in excess of 400 grams of heroin and 3.89 grams of cocaine base. Pursuant to the amendment to the Sentencing Guidelines dated May 1, 2008, the two level reduction for cocaine base is not warranted if it would result in a combined offense level that would apply if the offense involved only the other controlled substances (more than 400 grams of heroin in this case). This exclusion is to ensure that offenses involving controlled substances other than cocaine base do not receive a lower offense level than they would otherwise receive merely because cocaine base was involved in the offense.

Except as provided above, all provisions of the judgment dated 5/27/05 shall remain in effect.

IT IS SO ORDERED

Order Date: July 23, 2008


Judge's Signature

Effective Date: _____
(if different from order date)

Jean C. Hamilton, US District Judge
Printed Name and title